IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

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Petitioner

JUDGMENT IN A CIVIL CASE

V.

Case No. 09-cv-582-slc

RANDALL HEPP, Warden, Stanley Correctional Institution,

Respondent.

This action came for consideration before the court with DISTRICT JUDGE BARBARA B. CRABB presiding. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that judgment is entered dismissing the petition for writ of habeas corpus without prejudice for petitioner's failure to exhaust his state court remedies.

Peter Oppeneer, Clerk of Court

OCT 1 4 2009

Date